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**IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE DISTRICT OF NEVADA**

In re:
 INFINITY CAPITAL MANAGEMENT,
 INC,
 Debtor.

Case No. 21-14486-abl
 Chapter 7

HASELECT-MEDICAL RECEIVABLES
 LITIGATION FINANCE FUND
 INTERNATIONAL SP,

Adversary Case No. 21-01167-abl

Plaintiff,

v.

TECUMSEH–INFINITY MEDICAL
 RECEIVABLES FUND, LP,

**DECLARATION OF CHAD MEYER IN
 SUPPORT OF TECUMSEH–INFINITY
 MEDICAL RECEIVABLE FUND, LP’S
 OPPOSITION TO MOTION FOR
 PARTIAL SUMMARY JUDGMENT AS
 TO CERTAIN 1-F, 1-I, AND 1-J
 ACCOUNTS**

Defendant.

TECUMSEH–INFINITY MEDICAL
 RECEIVABLES FUND, LP,

Counter-Claimant,

v.

HASELECT-MEDICAL RECEIVABLES
 LITIGATION FINANCE FUND

Hearing Date: March 30, 2023
 Time: 9:30 a.m.

INTERNATIONAL SP,
Counter-Defendants.

HASELECT-MEDICAL RECEIVABLES
LITIGATION FINANCE FUND
INTERNATIONAL SP,
Counter-Claimant,

v.

TECUMSEH-INFINITY MEDICAL
RECEIVABLES FUND, LP,
Counter-Defendant.

I, CHAD MEYER, pursuant to 28 U.S.C. § 1746, declare as follows:

1. My name is Chad Meyer. I am over the age of twenty one years, of sound mind, and fully competent to testify in this cause.

2. I submit this declaration in support of *Tecumseh-Infinity Medical Receivable Fund, LP's Opposition to Motion for Partial Summary Judgment as to Certain 1-F, 1-I, and 1-J Accounts*.

3. I am a principal of Tecumseh Alternatives, LLC, the advisor to Tecumseh. In that capacity, I have personal knowledge of the facts stated herein, all of which are true and correct. If called upon to testify regarding the contents of this Declaration, I could and would do so.

The 1-F Accounts

4. The 1-F Purchase Order identifies approximately 332 separate 1-F Accounts Tecumseh had agreed to purchase from medical providers for a total price of \$481,023.10.¹ On September 25, 2020, Tecumseh wired the \$481,023.10 purchase price for the 1-F Accounts to Infinity's 8480 Account.² There was no executed bill of sale agreement entered into by and between the Debtor and Tecumseh for the 1-F Receivables.

¹ The 1-F Purchase Order was filed in the chapter 7 case at Main ECF No. 201-9 and designated as "Exhibit D-6". A copy of the 1-F Purchase Order was also submitted as Exhibit 20 to HASElect's March 22, 2022 Statement of Undisputed Facts [Adversary ECF No. 55] (the "**March 22, 2022 HASElect Statement of Disputed Facts**") and as HASElect Exhibit 1 to its *Motion for Partial Summary Judgment as to Certain 1-F, 1-I, and 1-J Accounts* [ECF No. 170].

² See Infinity's September 30, 2020 Nevada State Bank account statement for account ending in 8420 submitted as Exhibit 17 to the March 22, 2022 HASElect Statement of Disputed Facts.

5. I and people working under my supervision prepared the Tecumseh Account Spreadsheets attached to *Tecumseh-Infinity Medical Receivable Funds, LP's Statement of Disputed Facts in Support of Opposition to Motion for Partial Summary Judgment as to Certain 1-F, 1-I, and 1-J Accounts* as Exhibit A, Composite Exhibit B, and Exhibit C and fully incorporated by reference herein.

6. The 1-F Tecumseh Accounts Spreadsheet is a reorganized and simplified version of the original "TIFDumpWithIncome-Final.xlsx" spreadsheet provided by Infinity to identify Tecumseh's receivables with certain information redacted (i.e. patient information) and irrelevant information (such as lawyer name) removed.

7. The Tecumseh Account Spreadsheets are sorted by the "cleared in bank" column. The "cleared in bank" information was compiled by myself and people working under my supervision from a comprehensive review of Nevada State Bank account statements for the Debtor's 8480 Account, true and correct copies of which are attached to *Tecumseh-Infinity Medical Receivable Funds, LP's Statement of Disputed Facts in Support of Opposition to Motion for Partial Summary Judgment as to Certain 1-F, 1-I, and 1-J Accounts* as Composite Exhibit D and fully incorporated by reference herein.

8. Yet, as reflected in the 1-F Tecumseh Accounts Spreadsheet (Exhibit A) incorporated herein, there are 332 separate 1-F Accounts. HASelect moved for summary judgement only as to 239 of the 1-F Accounts.³ Of these 239 1-F Accounts, payment for at least 84 receivables were made by checks that were honored by the Nevada State Bank on or after September 25, 2020, the date of Tecumseh's wire.⁴ Specifically, Check Nos. 7635, 7638, 7639, 7640, 7641, 7642, 7643, 7644, 7647, 7648, 7651, 7652, and 7663, were all honored on or after

³ For ease of reference, the subset of accounts at issue in HASelect's Motion have been highlighted in light green on the 1-F Tecumseh Accounts Spreadsheet (Exhibit A).

⁴ These receivables are denoted on the 1-F Tecumseh Accounts Spreadsheet (Exhibit A). by red highlighting in the far left column.

September 25, 2020.⁵ Therefore payment occurred for at least 170 of the total 332 1-F Accounts on or after Tecumseh's September 25, 2020 wire.

The 1-I Accounts

9. The 1-I Purchase Order– Batches 12 and 13– identifies approximately 843 1-I Accounts Tecumseh agreed to purchase from medical providers for a total price of \$209,320.99.⁶ On October 14, 2020, Tecumseh wired the \$209,320.99 purchase price for the 1-I Accounts to Infinity's 8480 Account.⁷ There was no executed bill of sale agreement entered into by and between the Debtor and Tecumseh for the 1-I Receivables.

10. I hereby incorporate paragraphs 5-7 as if fully restated herein.

11. As reflected in the 1-I Tecumseh Accounts Spreadsheet (Exhibit B) incorporated herein, there are 843 separate 1-I Accounts. HASElect moved for summary judgement as to 755 of the 1-F Accounts.⁸ Of these 755 1-I Accounts, payment for at least 29 receivables were made by wire from the Debtor's on or after the Debtor's October 14, 2020 receipt of Tecumseh's wire.⁹ Therefore, payment occurred for at least 117 of the total 843 1-F Accounts on or after Tecumseh's October 14, 2020 wire.

The 1-J Accounts

12. On or about October 23, 2020, a tenth Receivables Purchase Order was generated by the Debtor (the "**1-J Purchase Order**") identifying approximately 261 separate accounts receivable (the "**1-J Accounts**") Tecumseh agreed to purchase from medical providers for a total

⁵ See Composite Exhibit D, Bates 15 and 19.

⁶ The 1-I Purchase Order was filed in the chapter 7 case at Main ECF No. 201- 012 and designated as "Exhibit D-9". A copy of the 1-I Purchase Order was also submitted as Exhibit 27 to the March 22, 2022 HASElect Statement of Undisputed Facts and as HASElect Exhibit 4 to its *Motion for Partial Summary Judgment as to Certain 1-F, 1-I, and 1-J Accounts* [ECF No. 170].

⁷ See Infinity's October 30, 2020 Nevada State Bank account statement for account ending in 8420 submitted as Exhibit 26 to the March 22, 2022 HASElect Statement of Disputed Facts.

⁸ For ease of reference, the subset of accounts at issue in HASElect's Motion have been highlighted in light green on the 1-I Tecumseh Accounts Spreadsheet (Exhibit B).

⁹ These receivables are denoted on 1-I Tecumseh Accounts Spreadsheet (Exhibit B). by red highlighting in the far left column. See also Composite Exhibit D, Bates 19.

price of \$136,063.26.¹⁰ On October 26, 2020, Tecumseh wired the \$136,063.26 purchase price for the 1-J Accounts to Infinity's Nevada State Bank account ending in 8480.¹¹ There was no executed bill of sale agreement entered into by and between the Debtor and Tecumseh for the 1-I Receivables.

13. I hereby incorporate paragraphs 5-7 as if fully restated herein.

14. As reflected in the 1-J Tecumseh Accounts Spreadsheet (Exhibit C) incorporated herein, there are 261 separate 1-J Accounts. HASelect moved for summary judgement as to 127 of the 261 1-J Accounts.¹² In other words, there are at least 134 of the 261 1-J Accounts that HASelect acknowledges Tecumseh funded. Of the remaining 127 1-J Accounts subject to HASelect's Motion, payment for at least 77 receivables were made by checks that were honored by the Nevada State Bank on or after the Debtor's October 26, 2020 receipt of Tecumseh's wire.¹³ Specifically, Check Nos. 6701, 6728, 6729, 6730, 6731, 6733, 6734, 6735, 6736, 6737, 6738, 6739, 6740, 6741, 6742, 6743, 6744, 6745, and 6746 were all honored on or after October 26, 2020.¹⁴ Therefore, payment occurred for at least 211 of the total 261 1-J Accounts on or after Tecumseh's October 26, 2020 wire.¹⁵

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: February 23, 2023



Chad Meyer

¹⁰ The 1-J Purchase Order was filed in the chapter 7 case at Main ECF No. 201- 013 and designated as "Exhibit D-10". A copy of the 1-J Purchase Order was also submitted as Exhibit 28 to the March 22, 2022 HASelect Statement of Undisputed Facts, and as HASelect Exhibit 6 to its Motion.

¹¹ See Infinity's October 30, 2020 Nevada State Bank account statement for account ending in 8420 submitted as Exhibit 26 to the March 22, 2022 HASelect Statement of Disputed Facts.

¹² For ease of reference, the subset of accounts at issue in HASelect's Motion have been highlighted in light green on the 1-F Tecumseh Accounts Spreadsheet (Exhibit C).

¹³ These receivables are denoted on the 1-F Tecumseh Accounts Spreadsheet (Exhibit C), by red highlighting in the far left column. *See also* Composite Exhibit D, Bates No. 19, 23 and 27.

¹⁴ *See* Composite Exhibit D, Bates No. 19, 23, and 27.

¹⁵ *Id.*